

PTO/SB/64 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
50277-1512

First named inventor: Dean Tan

Application No.: 09/872,234

Art Unit: 2193

Filed: May 31, 2001

Examiner: William H. Wood

Title: **TECHNIQUES FOR AUTOMATICALLY INSTALLING  
AND CONFIGURING DATABASE APPLICATIONS**

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,500.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

- A. The reply and/or fee to the above-noted Office action in the form of Request for Continued Examination (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

OID 2000-059-01

1 OF 2

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.


3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

  
\_\_\_\_\_  
Signature

Christopher J. Brokaw

Typed or printed name

2055 Gateway Place, Suite 550

Address

San Jose, CA 95110-1089

Address

December 20, 2006

\_\_\_\_\_  
Date

45,620

Registration Number, if applicable

(408) 414-1225

\_\_\_\_\_  
Telephone Number

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: RCE

**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

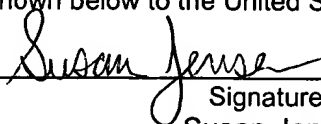
I hereby certify that this correspondence is being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300

December 20, 2006

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Signature

Susan Jensen

\_\_\_\_\_  
Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	
Dean Tan, et al.,	:	Confirmation No.: 2418
	:	
Serial No.: 09/872,234	:	Group Art Unit: 2193
	:	
Filed: May 31, 2001	:	Examiner: William H. Wood
	:	
For: TECHNIQUES FOR AUTOMATICALLY	:	
INSTALLING AND CONFIGURING	:	
DATABASE APPLICATIONS	:	

**STATEMENT ESTABLISHING UNINTENTIONAL DELAY**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned, unintentionally, for failure to timely file a Response to a Final Office Action mailed April 3, 2006.

Applicants respectfully petition for revival of the above-identified application. A Final Office Action was mailed in this application on April 3, 2006. In response, Applicants filed an Amendment After Final on June 2, 2006. Applicants did not file a Request for Continued Examination with the Amendment After Final; however the filing date of the Amendment After Final was within the expedited two-month window after the mailing of the Final Office Action. As a result, after the filing of this Amendment After Final, Applicants awaited a decision from the Office regarding the Amendment After Final.

However, the Advisory Action was mailed November 1, 2006, which was more than six months from the mailing date of the Final Office Action. The Advisory Action indicated that the application was not in condition for allowance, as the amendments specified by the Amendment After Final would not be entered since they would require a new search. Since the mailing date of the Advisory Action was more than six months after the mailing date of the Final Office Action, the application went abandoned as of October 4, 2006. The Applicants received a Notice of Abandonment mailed on November 9, 2006 confirming that the application went abandoned on October 4, 2006.


The Office is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the consideration of this petition.

Please charge any shortages or credit any overages in fees to our Deposit Account No. 50-1302.

Respectfully Submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

December 20, 2006

  
\_\_\_\_\_  
Christopher J. Brokaw  
Reg. No. 45,620

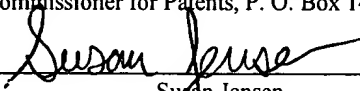
Hickman, Palermo, Truong, and Becker LLP  
2055 Gateway Place, Suite 550  
San Jose, CA 95110-1089  
Phone No. (408) 414-1080  
Fax No. (408) 414-1076

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

on December 20, 2006  
(Date)

by

  
\_\_\_\_\_  
Susan Jensen